

United States Courts
Southern District of Texas
ENTERED

JUN 09 2004

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Michael N. Milby, Clerk of Court

WHITNEY NATIONAL BANK

§

Plaintiff,

§

vs.

§

AIR AMBULANCE BY B&C FLIGHT
MANAGEMENT, INC.; B&C FLIGHT
MGMT., INC.; AND ROY G. HORRIDGE

§

Defendants.

§

CIVIL ACTION NO. H-04-2220

ORDER GRANTING TEMPORARY RESTRAINING ORDER

Whitney National Bank ("Whitney"), Plaintiff in this cause, has filed a verified complaint for a temporary injunction and, in connection therewith, has presented a request for a temporary restraining order, as set forth in Plaintiff's Original Complaint and Application for Temporary Restraining Order and Temporary Injunction, and Ex Parte Application for Writ of Sequestration. It clearly appears from the facts set forth in the Complaint that unless Air Ambulance by B&C Flight Management, Inc.; B&C Flight Mgmt., Inc.; and Roy G. Horridge ("Defendants") is immediately restrained and enjoined from:

- (i) hiding, secreting, moving, transferring or removing from the jurisdictional limits of this Court and/or from Harris County, Texas, any of the Aircraft, and/or any of the flight or maintenance logs for each of the airframes and engines in the Aircraft (the "Logs");
- (ii) Removing, damaging, destroying, hiding or secreting any of the Avionics;
- (iii) Transferring or delivering possession of the Aircraft, the Logs or the Avionics to any other person or entity, except in strict compliance with the requirements of the Aircraft Security Agreements, the Loan Agreement and the Ratification.

And mandatorily enjoining Defendants, and each of their officers, directors, shareholders, employees and representatives to deliver to Plaintiff possession of the Aircraft and the Logs,

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together with such keys, combinations, access codes, and other documentation as may be required by applicable law in order to fly, transport or otherwise move or take possession of the Aircraft.

That Defendants will commit the foregoing acts before notice is given and a hearing is had on the Plaintiff's motion for a temporary injunction; and that if the commission of these acts is not restrained immediately, Plaintiff Whitney will suffer irreparable harm, damage and injury in that it will not be able to exercise its rights to possession of the property described above, nor otherwise exercise its rights to satisfy the just and true debt sued for in this action.

IT IS, THEREFORE, ORDERED that Defendants Air Ambulance by B&C Flight Management, Inc.; B&C Flight Mgmt., Inc.; and Roy G. Horridge, their officers, directors, agents and employees and others and all parties in active concert and participation with them who receive actual notice of this order, be, and they are hereby commanded forthwith to desist and refrain from:

- (i) hiding, secreting, moving, transferring or removing from the jurisdictional limits of this Court and/or from Harris County, Texas, any of the Aircraft, and/or any of the flight or maintenance logs for each of the airframes and engines in the Aircraft (the "Logs");
- (ii) Removing, damaging, destroying, hiding or secreting any of the Avionics;
- (iii) Transferring or delivering possession of the Aircraft, the Logs or the Avionics to any other person or entity, except in strict compliance with the requirements of the Aircraft Security Agreements, the Loan Agreement and the Ratification.

IT IS FURTHER ORDERED that Defendants Air Ambulance by B&C Flight Management, Inc.; B&C Flight Mgmt., Inc.; and Roy G. Horridge, their officers, directors, agents and employees and others and all parties in active concert and participation with them who receive actual notice of this order, be and they are hereby mandatorily enjoined to deliver to Whitney possession of the Aircraft and the Logs, together with such keys, combinations, access

codes and other documentation as may be required by applicable law, in order to fly, transport or otherwise move to take possession of the Aircraft, that

IT IS FURTHER ORDERED that Plaintiff's Application for Temporary Injunction shall be heard by this Court on the 14th of June, 2004, at 5:00 p.m.^{'clock}
in Courtroom 11-A
p.m., in the United States District Courthouse in Houston, Harris County, Texas, The clerk of the court is hereby directed to issue a show cause notice to Defendants to appear at the temporary injunction hearing. The clerk of the above-entitled court shall forthwith on the filing of the bond hereinafter required and on approving the same according to the law, issue a temporary restraining order in conformity with the law and the terms of this Order.

This Order shall not be effective unless and until Plaintiff executes and files with the clerk a bond in conformity with the law, or a cash deposit in lieu thereof, in the amount of \$ \$1,000.

SIGNED this 7th day of June, 2004 at 11:00'clock a.m.



UNITED STATES DISTRICT COURT